

1 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

STEPHEN H. TURNER, SB# 89627

2 E-Mail: turner@lbbslaw.com

LARISSA G. NEFULDA, SB# 201903

3 E-Mail: lnefulda@lbbslaw.com

221 North Figueroa Street, Suite 1200

4 Los Angeles, California 90012

Telephone: 213.250.1800

5 Facsimile: 213.250.7900

6 Attorneys for Defendant

CREDITOR'S INTERCHANGE,

7 RECEIVABLE MANAGEMENT, LLC.

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 CHRISTOPHER CALUB,

11 Plaintiff,

12 vs.

13 CREDITOR'S INTERCHANGE,
14 RECEIVABLE MANAGEMENT, LLC.,
15 MS. BAKER, MS. JORDAN and DOES 1-10,

16 Defendants.

CASE NO. CV 12-00524 LHK

**STIPULATION TO CONTINUE
DEADLINE FOR DEFENDANT TO FILE
OPPOSITION TO PLAINTIFF'S
MOTION TO STRIKE AND FOR
PLAINTIFF TO FILE A REPLY AND TO
EXTEND TIME TO SERVE INDIVIDUAL
DEFENDANTS WITH SUMMONS AND
COMPLAINT; DECLARATIONS OF
LARISSA G. NEFULDA AND RONALD
WILCOX IN SUPPORT THEREOF;
[PROPOSED] ORDER**

Trial Date: None Set

17 IT IS HEREBY STIPULATED by and between the parties to this action, through their
18 respective counsel of record, as follows:

19 Defendant Creditor's Interchange and Receivable Management, LLC's (hereinafter
20 referred to as "Defendant") deadline to file an opposition to Plaintiff's Motion to Strike
21 Affirmative Defenses ("Motion to Strike"), currently scheduled to be heard on July 19, 2012, at
22 1:30 p.m., shall be continued from April 18, 2012 to **April 25, 2012**, and Plaintiffs' deadline to
23 file a Reply Brief shall be continued from April 25, 2012 to **May 9, 2012**.

24 Good cause exists to grant the requested continuance based on the fact that Defendant's
25 counsel, Stephen H. Turner, currently has a medical condition limiting his ability to work, and, as
26 4810-9409-7167.1

CV 12-00524 LHK

**STIPULATION TO CONTINUE DEADLINE FOR DEFENDANT TO FILE OPPOSITION TO PLAINTIFF'S
MOTION TO STRIKE AND AND FOR PLAINTIFF TO FILE REPLY BRIEF, DECLARATION OF LARISSA B.
NEFULDA IN SUPPORT THEREOF**

1 a result, Defendant is unable to meet the current deadline of April 18, 2012, to file an opposition to
2 Plaintiff's Motion to Strike. Furthermore, Plaintiff's counsel is out of state in late April.

3 Defendants have indicated that individual Defendants, named as Ms. Jordan and Ms.
4 Baker, are actually Hadassah Jordan and Demara Baker. Thus, the parties stipulate that Complaint
5 can be amended to reflect the individual defendants' correct names. Future pleadings filed with
6 the Court will reflect the correct names of the individuals.

7 Furthermore, the parties stipulate Plaintiff shall have until June 30, 2012 to serve
8 Defendant Demara Baker with the Summons and Complaint. Defendant's counsel is not
9 authorized to accept service for Ms. Baker; nor has Defendant provided her last known address or
10 telephone numbers in its initial disclosures. However, Plaintiff has identified some address
11 information and is attempting to have Ms. Baker served. Thus good cause exists to extend the time
12 to serve Ms. Baker. Defendant's counsel is authorized to accept service for Hassadah Jordan, and
13 hereby stipulates Ms. Jordan has been served on April 18, 2012 (via counsel's previous receipt of
14 the Summons and Complaint), and will file an answer within the time allowed under Fed. R. Civ.
15 P.

16 IT IS SO STIPULATED this 18th day of April, 2012.

17
18 DATED: April 18, 2012

RONALD WILCOX, ESQ.

19
20 By: /s/ Ronald Wilcox
21 Ronald Wilcox
22 Attorney for Plaintiff Christopher Calub

23 DATED: April 18, 2012

LEWIS BRISBOIS BISGAARD & SMITH LLP

24
25 By: /s/ Larissa G. Nefulda
26 Stephen H. Turner
27 Larissa Nefulda
28 Attorney for Defendant Creditor's Interchange
Receivable Management, LCC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~Proposed~~ ORDER

The Court adopts the stipulation of the parties.

IT IS SO ORDERED.

Date:



HON. LUCY KOH
U.S. DISTRICT COURT JUDGE

(

DECLARATION OF LARISSA G. NEFULDA

I, Larissa G. Nefulda declare as follows:

1. I am an attorney at law, duly licensed to practice before all of the courts in the State of California and am a partner with the law firm of Lewis Brisbois Bisgaard & Smith, LLP, attorneys for Defendant, CREDITOR'S INTERCHANGE, RECEIVABLE MANAGEMENT, LLC ("Defendant") herein and am familiar with the issues in this case.

2. The deadline to file an Opposition to Plaintiff's Motion to Strike Affirmative Defenses ("Motion to Strike"), currently scheduled to be heard on July 19, 2012, at 1:30 p.m., is April 18, 2012. The deadline to file the Reply is April 25, 2012. I met and conferred with Plaintiff's counsel, Ron Wilcox, to seek an extension of the deadline to file an Opposition to April 25, 2012. I agreed to extend Plaintiff's deadline to file a Reply to May 9, 2012. Mr. Wilcox had no objections.

3. Good cause exists to grant the requested continuance based on the fact that Defendants' counsel, Stephen H. Turner, currently has a medical condition limiting his ability to work, and, as a result, Defendant is unable to meet the current deadline of April 18, 2012, to file an opposition to Plaintiff's Motion to Strike. Furthermore, Plaintiff's counsel advised me that he will be out of state in late April.

4. The stipulated continuance will not impact the hearing of the Motion to Strike, which is, as indicated, scheduled to be heard on July 19, 2012.

5. I informed Mr. Wilcox that individual Defendants, named as Ms. Jordan and Ms. Baker in the Complaint, are actually Hadassah Jordan and Demara Baker.

///

///

///

6. I informed Mr. Wilcox that my office is authorized to accept service of the Summons and Complaint as to Defendant Hadassah Jordan.

I declare, under penalty of perjury, under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on this 18th day of April, 2012, at Los Angeles, California.

/S/ Larissa Nefulda
Larissa G. Nefulda

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3
4

5
6
7

8
9
10
11

12
13
14

15

16